

How to request an agency to change a regulation (or create a new one)

This is how you can request an agency/board to develop a new regulation or amend an existing regulation.

Source: Section 2.2-4007 of the Code of Virginia

What you need to do and what will happen:

Tell the agency in a written communication the following:

The substance and purpose of the rulemaking that is requested and, if an existing regulation, include the citation to the Virginia Administrative Code, e.g., 1 VAC 2-30).

The legal authority of the agency/board to take the action requested, e.g., Code of Virginia § 12.3-45, i.e., the language that says a board or agency can or must promulgate regulations.

Mention, "Code of Virginia Section 2.2-4007" and "petition for new or amended regulation" to signal the agency on how to handle your request.

Within 14 days of receiving your request, the agency must send a notice with your name, the nature of your request, and its plan for handling your request to the *Virginia Register*.

The notice appears on Town Hall & email notification is sent to Town Hall registered users.

Notice is published in the *Register*. Town Hall public comment forum opens for 21 days to receive comment on your petition.

Public comment period/forum closes.

Within 60 days (under most circumstances), the agency issues a written decision granting or denying your request.

The agency's decision must include its reasons for taking action or not taking action.

The agency's decision appears in the *Register* & on the Town Hall. Email notification is also sent to Town Hall registered users.

Note: Agency decisions regarding requests to change a rule are not subject to court review

For more information,
visit the award-winning
Virginia Regulatory Town Hall
at
townhall.virginia.gov

